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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	4821-439-999	Total Pages	70
First Named Inventor or Application Identifier			
Qun K. Fang et al.			
Express Mail Label No.	N/A		

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing*
2. ☒ Specification [Total Pages 67]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description of the Invention *(including drawings, if filed)*
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 1]
4. ☒ Oath or Declaration [Total Sheets 2]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
[Note Box 5 below]
  - i. ☐ DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference *(useable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☒ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
*(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
14. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
- ☒ Divisional of prior application No. 09/640,725, filed 08/18/2000, which is a CIP of 09/510,241, filed 02/22/2000, which claims benefit of 60/122,277, filed 03/01/1999 and 60/148,324, filed 08/11/1999, each of which is incorporated herein by reference.

## 18. CORRESPONDENCE ADDRESS

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(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner W. JARVISArt Unit 1614

Assistant Commissioner for Patents

Box **PATENT APPLICATION**

Washington, D.C. 20231

Sir:

This is a request for filing a ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/640,725 filed on August 18, 2000.

of Qun Kevin Fang, Crisantha H. Senanayake, and Paul Grover

(inventor(s) currently of record in prior application)

for BUPROPION METABOLITES AND METHODS OF THEIR SYNTHESIS AND USE  
(title of invention)

1. ☒ Please cancel in this application the original claims 8-18 of the prior application, before calculating the filing fees.

## PATENT APPLICATION FEE VALUE

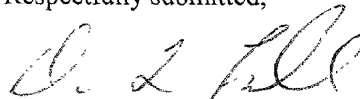
TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	115	-20	95	\$18.00 each	\$1,710.00
Independent	27	-3	24	\$84.00 each	\$2,016.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
<b>Total</b>					\$4,466.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
<b>Total Filing Fee</b>					\$4,466.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by deleting lines 4-7 and replacing with the following sentence: This is a division of application no. 09/640,725, filed August 18, 2000, which is a continuation-in-part of application no. 09/510,241, filed February 22, 2000, which claims the benefit of provisional application nos. 60/122,277, filed March 1, 1999 and 60/148,324, filed August 11, 1999, each of which is incorporated herein by reference.

- 4a. ☐ New formal drawings are enclosed.
- 4b. ☒ Informal drawings are enclosed. (Copy from application no. 09/640,725)
- 5a. ☒ Priority of application benefit of 60/122,277, filed 3/01/1999 and 60/148,324, filed 08/11/1999.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
- 6. ☒ The prior application is assigned of record to SEPRACOR INC., Recorded on Reel 011294, Frame 0007.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/640,725, filed February 22, 2000 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
- 8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
- 9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
- 10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
- 11. ☒ Copy of parent application no. 09/640,725 and Preliminary Amendment.

Respectfully submitted,

Date November 16, 2001



Dean L. Fanelli

48,907

(Reg. No.)

For: Anthony M. Insogna (Reg. No. 35,203)

**PENNIE & EDMONDS** LLP

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